



**U.S. Department of Justice**

*United States Attorney  
Southern District of New York*

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*The Silvio J. Mollo Building  
One Saint Andrew's Plaza  
New York, New York 10007*

May 1, 2022

**BY ECF**

The Honorable John P. Cronan  
United States District Court  
Southern District of New York  
40 Foley Square  
New York, NY 10007

Re: *United States v. Edward Shin*, 19 Cr. 552 (JPC)

Dear Judge Cronan:

The Government respectfully submits this letter in connection with the additional potential conflicts of interest identified earlier today by Robert James Basil of The Basil Law Group PC ("Basil"), concerning Basil's representation of anticipated Government witnesses in previous, unrelated matters. (*See* Dkt. No. 176).

As the Court knows, the Government proposed a series of questions for the Court's consideration in connection with the *Curcio* proceeding conducted on April 29, 2022, concerning potential conflicts raised by defense counsel's previous representation of Noah Bank on both related and unrelated matters. (Dkt. No. 174). As those questions covered potential conflicts raised by defense counsel's previous representation of the bank in unrelated matters, the Government does not have additional questions to propose for tomorrow's *Curcio* proceeding. As Basil explained, he previously represented John Kim, a current Noah Bank employee, in an unrelated tort matter. While he also previously represented Cheol Min Kim, who is expected to testify as a borrower witness (*i.e.* not a witness associated with Noah Bank), the Government respectfully submits that its previous questions sufficiently cover potential conflicts that may arise from that representation, including an incentive that may arise to less vigorously cross Cheol Min Kim given his status as a former client. The Government notes Basil's representation that he acquired no confidential information from either of these prior representations.

On the issue of scheduling, the Government respectfully requests that the Court consider holding the *Curcio* proceeding at the end of the trial day either tomorrow or Tuesday. Of course the Government is prepared to proceed whenever the Court deems appropriate, but notes that the Court expressed its intent to also address evidentiary issues and scheduling tomorrow at 9:30 a.m. The witnesses at issue are not expected to testify until later in the week, such that handling the matter later in the day will not affect their ability to testify. The Government respectfully submits that conducting the *Curcio* proceeding at the end of the trial day may help avoid unnecessary trial delay.

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Respectfully submitted,

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